

SHIPPED: 7-23-59, from Detroit, Mich., to Toledo, Ohio.

LABEL IN PART: (Pkg.) "Prince Vitamin Enriched Thin Spaghetti 1 lb. Net, Prince Macaroni Co., Gen'l Offices, Lowell, Mass.,"; "Prince Enriched Macaroni Elbows NET WEIGHT ONE POUND Prince Macaroni Mfg. Co. General Offices, Lowell, Mass.,"; "Prince Enriched Pure Egg Noodles Net Wt. 16 oz. Prince Macaroni Co. Lowell, New York, Rochester, Detroit, Chicago, Miami."

RESULTS OF INVESTIGATION: Analysis indicated that the enriched egg noodles contained only 3.66 percent solids of egg or egg yolk.

CHARGE: 402(a)(3)—when shipped, the spaghetti, macaroni, and egg noodles contained insect fragments; and 402(a)(4)—prepared and packed under insanitary conditions; and 403(g)(1)—when shipped, the egg noodles failed to conform to the definition and standard of identity for enriched egg noodles since the total solids of the article contained less than 5.5 percent by weight of the solids of egg or egg yolk.

PLEA: Guilty.

DISPOSITION: 9-27-62. \$2,000 fine.

28311. Egg noodles. (F.D.C. No. 46954. S. Nos. 17-402/7 T, 17-409 T.)

QUANTITY: 9,268 cases, each containing 4 5-lb. boxes, at Columbus, Ohio.

SHIPPED: Between 2-2-61 and 6-13-61, from Brooklyn, N.Y., by Paramount Macaroni Manufacturing Co., Inc.

LABEL IN PART: (Box) "Noodles, Egg 5 lbs. Net * * * Paramount Macaroni Mfg. Co., Inc., Brooklyn, N. Y."

LIBELED: 2-1-62, S. Dist. Ohio.

CHARGE: 402(b)(1)—when shipped, the valuable constituent, egg or egg yolk solids, had been in whole or in part omitted from the article; and 403(g)(1)—the article failed to conform to the definition and standard of identity for egg noodles since the total solids of the article contained less than 5.5 percent by weight of the solids of egg or egg yolk.

DISPOSITION: 5-16-62. Consent—delivered to a public agency for use as macaroni.

MISCELLANEOUS CEREALS AND CEREAL PRODUCTS

28312. Wheat. (Inj. No. 337.)

COMPLAINT FOR INJUNCTION FILED: 7-8-58, E. Dist. Wash., against Rosalia Producers, Inc., Rosalia, Wash.

CHARGE: The complaint alleged that the defendant was engaged in operating at Balder, Wash., a grain elevator facility consisting of a central building housing certain elevator equipment and a number of wheat storage bins, a flat house located south of the central building and a flat house located north of the central building for the storage and distribution of wheat for human consumption, and that the defendant was causing to be introduced into interstate commerce, wheat which was adulterated within the meaning of 402(a)(4), by reason of being held at defendant's elevator facility under insanitary conditions.

It was alleged further that the insanitary conditions resulted from and consisted of the presence of bird excreta in the head house and on the braces of the central building, rat and mouse tracks on the cross members of the boot